

REMARKS

Claims 1-4, 14, 15 and 16 are amended herein to clarify the claimed invention and to correct minor informalities. Support is found for example, on page 37, lines 24-25. No new matter is presented. Accordingly, upon entry of the Amendment, claims 1-16 will be all of the claims pending in the application.

I. Response to Claim Rejection - 35 USC § 102

Claims 1-12 are provisionally rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hioki et al. (U.S. Patent Application Publication No. 2003/0228549 = copending Application No. 10/199,044) which has a common assignee/inventor with the instant application.

Applicants respectfully traverse the rejection.

The presently claimed invention as recited in the amended claims and the claims dependent thereon is directed to a silver halide photographic light-sensitive material comprising a silver halide photographic emulsion containing a silver halide grain, wherein the silver halide photographic emulsion includes at least one dye compound having one dye chromophore adsorbed in multiple layers on the surface of the silver halide grain, and the chromophore of the dye compound is Dye X, wherein there is aggregation between molecules. That is, the present invention encompasses the case of having one chromophore in one dye molecule.

On the other hand, Hoike et al discloses that in a compound having two or more chromophores, wherein the chromophores aggregate within the molecule. Therefore, Hoike et al does not disclose all elements of the presently claimed invention and cannot be said to anticipate the claimed invention within the meaning of 35 U.S.C. § 102.

Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102.

II. Response to Double Patenting Rejection

Claims 1-12 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over the claims of Hoike et al. (U.S. Patent Application Publication No. 2003/0228549, hereafter US '549).

As stated above the present invention as recited in the amended claims and the claims dependent thereon is directed to silver halide photographic light-sensitive material comprising at least one dye compound having one dye chromophore adsorbed in multiple layers wherein there is aggregation between molecules as opposed to aggregation within the molecule as in Hoike et al. The claims of Hoike et al do not recite this element of the presently claimed invention and there is no motivation or suggestion for one of ordinary skill in the art to modify the subject matter of the claims of Hoike et al with a reasonable expectation of achieving the presently claimed invention. Accordingly, the presently claimed invention is not an obvious variant of the claims of Hoike et al.

In view of the above, Applicants respectfully request withdrawal of the obviousness-type double patenting rejection.

III. Conclusion

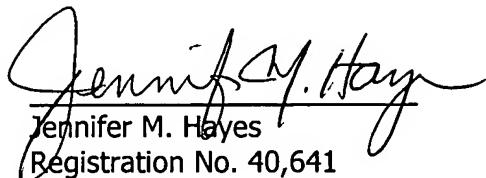
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/787,395

ATTY DKT Q80156

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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